

REMARKS:

The Examiner rejected Claims 1-18 under 35 U.S.C. Sec. 102(e) as anticipated by Stoughton et al. ('352). This patent discloses methods for identifying and representing biological pathways of drug action on a cell.

After carefully reviewing the referenced patent to articulate a distinguishing argument for the present invention, the applicant noted that the Stoughton et al. patent issued in 1999 on an application filed on May 8, 1998. The present application is a continuation-in-part of U.S. Serial No. 08/569,358, filed on December 8, 1995. The pending claims were drafted to overcome prior art cited in a previous office action, but they are based on the same subject matter disclosed in the parent application. Therefore, the effective filing date of the present application is December 8, 1995, prior to the effective filing date of the referenced patent.

In view of the foregoing, the Stoughton et al. patent is not believed to constitute prior art for the purpose of prosecution in this case. Accordingly, the applicant respectfully requests that the rejection based on this patent be withdrawn.

Because the rejection of all claims was based solely on the teachings of Stoughton et al., the applicant is not submitting

remarks directed at overcoming the reference as prior art.

Should the Examiner find that the patent is in fact relevant to the prosecution of this case, the applicant would appreciate the opportunity to present an argument to distinguish it from the present invention.

The applicant and the undersigned attorney thank the Examiner for the comprehensive search conducted in the case. If any issue remains that could be resolved by telephonic interview, the undersigned would appreciate the opportunity to do so.

Please charge any cost that may be associated with this transmittal to our Deposit Account No. 02-2451.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Antonio R. Durando'.

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